



# राजपत्र, हिमाचल प्रदेश

## (असाधारण)

हिमाचल प्रदेश शासन द्वारा प्रकाशित

शिमला, बुधवार, 9 दिसम्बर, 1959/18 अग्रहायण, 1881

### HIMACHAL PRADESH ADMINISTRATION

#### INDUSTRIES DEPARTMENT

#### NOTIFICATION

*Simla-4, the 26th November, 1959/5th Agrahayana, 1881*

No. I&S. 15-(Lab.)-691/59.—The draft of the following Rules which the Lieutenant Governor, Himachal Pradesh proposes to make under section 30 of the Minimum Wages Act, 1948, is hereby published in the Himachal Pradesh Administration Gazette for the information of all concerned. Any person who has any objection or suggestion to make, may send the same to the Secretary (Labour Department), Himachal Pradesh Administration within 20 days of the date of publication of this notification in the Gazette.

The objections and suggestions received within the prescribed time shall be duly considered by the competent authority before publishing the Rules finally.

## HIMACHAL PRADESH ADMINISTRATION MINIMUM WAGES RULES, 1959

### CHAPTER I

#### Preliminary

1. *Short title and extent.*—(1) These rules may be called the Himachal Pradesh Administration Minimum Wages Rules, 1959.

(2) They extend to the whole of the Himachal Pradesh Territory.

2. *Interpretation.*—In these rules, unless the context otherwise requires,—

(a) “Act” means the Minimum Wages Act, 1948;

(b) “Authority” means the authority appointed under sub-section (1) of section 20;

(c) “Board” means the Advisory Board appointed under section 7;

(d) “Chairman” means the Chairman of the Advisory Board, the Committee or Sub-Committee as the case may be, appointed under section 9;

(e) “Committee” means a Committee appointed under clause (a) of sub-section (1) of section 5 and includes a sub-committee appointed under that section;

(f) “form” means a form appended to these rules;

(g) “Inspector” means a person appointed as Inspector under section 19;

(h) “Registered Trade Union” means a trade union registered under the Indian Trade Unions Act, 1926;

(i) “section” means a section of the Act; and

(j) All other words and expressions used herein and not defined shall have the meaning respectively assigned to them under the Act.

### CHAPTER II

#### Members and Staff, and Meetings of the Board, and Committee

3. *Term of office of the members of the Committee and the Advisory Board.*—The term of office of the members of the Committee or an Advisory Board shall be such as in the opinion of the Himachal Pradesh Administration is necessary for completing the enquiry into the employment concerned and the Himachal Pradesh Administration may, at the time of the constitution of the Committee or an Advisory Board, as the case may be, fix such terms and may, from time to time, extend it as circumstances may require.

4. *Term of office of members of the Board.*—(1) Save as otherwise expressly provided in these rules, the term of office of a non-official member of the Board, shall be two years commencing from the date of his appointment:

Provided that such member shall, notwithstanding the expiry of the said period of two years, continue to hold office until his successor is nominated.

(2) A member of the Board nominated to fill a casual vacancy shall hold office for the remaining period of the term of office of the member in whose place he is nominated.

(3) The official members of the Board shall hold office during the pleasure of the Himachal Pradesh Administration.

5. *Travelling allowance*.—A non-official member of the Committee and Advisory Committee or the Board shall be entitled to draw:—

	<i>Travelling Allowance</i>	<i>Daily Allowance</i>
(a) In respect of journeys performed by rail.	One 1st class Rly. fare plus incidental expenses at the rate of 12 pies per mile.	At the highest rate admissible to Government servant of grade I for the respective localities. In the case of non-official members residing at places where meetings of Committee take place only the actual cost of conveyance subject to a maximum of Rs.10 per day will be admissible.
(b) In respect of journeys by road.	Mileage allowance as admissible to officers of the 1st grade i.e. —/2/6 per mile for single seat in taxi, motor, omnibus or lorry.	-do-

The T.A. and D.A. will be payable subject to the production of a certificate by the members to the effect that he has not drawn any T.A. and D.A. for the same journey and halts from any other Government source.

6. *Staff*.—(1) The Himachal Pradesh Administration may appoint a Secretary to the Committee, and an Advisory Board, and such other staff as it may think necessary and may fix the salaries and allowances payable to them and specify their conditions of service.

(2) (i) The Secretary shall be the Chief Executive Officer of the Committee or the Board, as the case may be. He shall attend the meetings of such Committee, Advisory Board but shall not be entitled to vote at such meetings.

(ii) The Secretary shall assist the Chairman in convening meetings and shall keep a record of the minutes of such meetings and shall take necessary measures to carry out the decision of the Committee, the Advisory Board, as the case may be.

7. *Eligibility for renomination of the members of the Committee, Advisory Board*.—An out-going member shall be eligible for renomination for the membership of the Committee, Advisory Board, of which he was a member.

8. *Resignation of the Chairman and Members of the Committee, Advisory Board and filling of casual vacancies*.—(1) A member of the Committee, Advisory Board other than the Chairman may, by giving notice in writing to the Chairman, resign his membership.

(2) The Chairman may resign by letter addressed to the Himachal Pradesh Administration in the Labour Department.

(3) When a vacancy occurs or is likely to occur in the membership of the Committee, Advisory Board, the Chairman shall submit a report to Himachal Pradesh Administration immediately. The Administration shall then take steps to fill the vacancy.

9. *Cessation and Restoration of Membership*.—(1) If a member of the Committee, Advisory Board fails to attend three consecutive meetings, he shall subject to the provisions of sub-rule (2), cease to be a member thereof.

(2) A person, who ceases to be a member under sub-rule (1) shall be given intimation of such cessation by a letter sent to him by registered post within fifteen days from the date of such cessation. The letter shall indicate that if he desires restoration of his membership, he may apply therefor within thirty days from the receipt of such letter. The application for restoration of membership, if received within the said period, shall be placed before the Committee, the Advisory Board as the case may be, and if a majority of members present at the next meeting is satisfied that the reasons for failure to attend three consecutive meetings are adequate, the member shall be restored to membership immediately after a resolution to that effect is adopted.

10. *Disqualification.*—(1) A person shall be disqualified for being nominated as, and for being a member of, the Committee, Advisory Board, as the case may be,—

- (i) if he is declared to be of unsound mind by a competent court; or
- (ii) if he is an undischarged insolvent; or
- (iii) if, before or after the commencement of, the Act, he has been convicted of an offence involving moral turpitude.

(2) If any question arises whether a disqualification has been incurred under sub-rule (1) the decision of the Himachal Pradesh Administration in the Labour Department thereon shall be final.

11. *Meetings.*—The Chairman may, subject to the provisions of rule 12, call a meeting of the Committee, Advisory Board, as the case may be, at any time he thinks fit:

Provided that on a requisition in writing from not less than one-half of the members the Chairman shall call a meeting within fifteen days from the date of the receipt of such requisition.

12. *Notice of Meetings.*—The Chairman shall fix the date, time and place of every meeting, and a notice in writing containing the aforesaid particulars, along with a list of business to be conducted at the meeting shall be sent to each member by registered post at least fifteen days before the date fixed for such meeting:

Provided that in the case of an emergent meeting, notice of seven days only may be given to every member.

13. *Chairman.*—(1) The Chairman shall preside at the meetings of the Committee, Advisory Board, as the case may be.

(2) In the absence of the Chairman at any meeting the members shall elect from amongst themselves by a majority of votes, a member, who shall preside at such meeting.

14. *Quorum.*—No business shall be transacted at any meeting unless one-third of the members are present:

Provided that if at any meeting less than one-third of the members are present, the Chairman may adjourn the meeting to a date not later than seven days from the date of the original meeting and it shall thereupon be lawful to dispose of the business at such adjourned meeting irrespective of the number of members present.

15. *Disposal of business.*—All business shall be considered at a meeting of the Committee, Advisory Board, as the case may be, and shall be decided by a majority of the votes of the members present and voting. In the event of an equality of votes the Chairman shall have a casting vote:

Provided that the Chairman may, if he thinks fit, direct that any matter shall be decided by the circulation of necessary papers and securing written opinion of the members:

Provided further that no decision on any question which is referred under the first proviso shall be taken, unless supported by not less than a two-thirds majority of the members.

16. *Method of voting.*—Voting shall ordinarily be by show of hands, but if any member asks for voting by ballot, or if the Chairman so decides, the voting shall be by secret ballot and shall be held in such manner as the Chairman may decide.

17. *Proceedings of the meetings.*—(1) The proceedings of each meeting showing *inter alia* the names of the members present thereat shall be forwarded to each member and to the Himachal Pradesh Administration as soon after the meeting as possible and, in any case, not less than seven days before the next meeting.

(2) The proceedings of each meeting shall be confirmed with such modifications, if any, as may be considered necessary at the next meeting.

### CHAPTER III

#### Summoning of Witnesses by the Committee, Advisory Board and Production of Documents

18. *Summoning of witnesses and production of Documents.*—(1) A Committee/Advisory Board may summon any person to appear as a witness in the course of an enquiry. Such summons may require a witness to appear before it on a date specified therein and to produce any books, papers or other documents and things in his possession or under his control relating in any manner to the enquiry.

(2) A summons under sub-rule (1) may be addressed to an individual or an organisation of employers or a registered trade union of workers.

(3) A summons under this rule may be served—

(i) in the case of an individual, by being delivered or sent to him by registered post;

(ii) in the case of an employers' organisation or a registered trade union of workers by being delivered or sent by registered post to the secretary or other principal officer of the organisation or union, as the case may be.

19. *Expenses of witnesses.*—Every person who is summoned and appears as a witness before the Committee, the Advisory Board, shall be entitled to an allowance for expenses incurred by him in accordance with the scale for the time being in force for payment of such allowances to witnesses appearing in civil courts in the Union Territory of Himachal Pradesh.

## CHAPTER IV

## Computation and Payment of Wages, Hours of Work and Holiday

20. *Mode of computation of the cash value of wages.*—The retail prices at the nearest market shall be taken into account in computing the cash value of wages paid in kind and of essential commodities supplied at concession rates. This computation shall be made in accordance with such directions as may be issued by the Himachal Pradesh Administration from time to time.

21. *Time and conditions of payment of wages and the deductions permissible from wages.*—(1) (i) The wage period with respect to any scheduled employment for which wages have been fixed shall not exceed one month and the wages of a worker in such employment shall be paid on a working day:—

- (a) in the case of establishments in which less than one thousand persons are employed, before the expiry of the seventh day; and
- (b) in the case of other establishments, before the expiry of the tenth day, after the last day of the wage period in respect of which the wages are payable.

(ii) Where the employment of any person is terminated by or on behalf of the employer, the wages earned by him shall be paid before the expiry of the second working day after the day on which his employment is terminated:

Provided that the Himachal Pradesh Administration, on receipt of a representation in respect of any scheduled employment or class or classes of employees in such employment, may, after inviting public comments, notify any other wage periods or time limits for payment, which shall then apply to all or any class or classes of employees in such employment.

(iii) The wages of an employed person shall be paid to him without deduction of any kind except those authorised by or under these rules.

*Explanation.*—Every payment made by the employed person to the employer or his agent shall, for the purposes of these rules, be deemed to be a deduction from wages.

(2) Deduction from the wages of a person employed in a scheduled employment shall be of one or more of the following kinds, namely:—

- (i) fines;
- (ii) deductions for absence from duty;
- (iii) deductions for damage to or loss of goods expressly entrusted to the employed person for custody, or for loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or default;
- (iv) deductions for house accommodation supplied by the employer or by administration or any Housing Board set up under any law for the time being in force (whether the Administration or is the employer or not) or any other authority engaged in the business of subsidising house accommodation which may be specified in this behalf by the Himachal Pradesh Administration by notification in the Himachal Pradesh *Rajpatra*;
- (v) deductions for such amenities and services supplied by the employer as the Himachal Pradesh Administration may, by general or special order, authorise:

*Explanation.*—The words ‘amenities and services’ in this clause do not include the supply of tools and protectives required for the purposes of employment;

(vi) deductions for recovery of advances or for adjustment of over payments of wages:

Provided that such advances do not exceed an amount equal to wages for two calendar months of the employed person and, in no case, shall the monthly instalment of deduction exceed one-fourth of the wages earned in that month;

(vii) deductions of income-tax payable by the employed persons;

(viii) deductions required to be made by order of a court or other competent authority;

(ix) deductions for subscriptions to and for repayment of advances from any provident fund to which the Provident Funds Act, 1925, applies or any recognised Provident Fund as defined in section 58-A of the Indian Income Tax Act, 1922, or any provident fund approved in this behalf by the Himachal Pradesh Administration during the continuance of such approval;

(x) deductions for payment to co-operative societies or to a scheme of insurance approved by the Himachal Pradesh Administration;

(xi) deduction made with the written authorisation of the person employed for payment of any premium on his life insurance policy to the life insurance corporation of India established under the Life Insurance Corporation Act, 1956, or for the purchase of securities of the Government of India or of any State Government or for being deposited in any post office savings bank in furtherance of any saving scheme of any such Government.

(3) Any person desiring to impose a fine on an employed person or to make a deduction for damage or loss caused by him shall explain to him personally and also in writing the act or omission or the damage or loss, in respect of which the fine or deduction is proposed to be imposed or made and give him an opportunity to offer any explanation in the presence of another person. The amount of the said fine or deduction shall also be intimated to him.

(4) The amount of fine or deduction mentioned in sub-rule (3) shall be such as may be specified by the Himachal Pradesh Administration. All such deductions and all realisations thereof shall be recorded in a register maintained in Forms I and II as the case may be. A return in Form III shall be submitted annually by the employer to the Inspector concerned.

(5) The amount of fine imposed under sub-rule (3) shall be utilized in accordance with the directions of the Himachal Pradesh Administration.

(6) Nothing in this rule shall be deemed to affect the provisions of the Payment of Wages Act, 1936.

22. *Publicity to the minimum wage fixed under the Act.*—Notice containing the minimum rates of wages fixed together with extracts from the Act, the rules made thereunder and the name and address of the Inspector shall be displayed in English and in a language understood by the majority of the workers in the employment at such place as may be selected by the Inspector and shall be

maintained in a clean and legible condition. Such notice shall also be displayed on the notice boards of all Sub-Divisional and District Offices.

23. *Weekly holidays.*—(1) Unless otherwise permitted by the Himachal Pradesh Administration no worker shall be required or allowed to work in a scheduled employment, on the first day of the week (hereinafter referred to as the said day) except when he has or will have a holiday for the whole day on one of the five days immediately before or after the said day for which he shall receive payment equal to his average daily wages during the preceding week:

Provided that the weekly holiday may be substituted by another day:

Provided further that no substitution shall be made which will result in any worker working for more than ten days consecutively without a holiday for a whole day.

(2) Where in accordance with the provision of sub-rule (1) any worker works on the said day and has had a holiday on one of the five days immediately preceding it, the said day shall, for the purposes of calculating his weekly hours of work, be included in the preceding week.

*Explanation.*—For the purposes of this rule 'week' shall mean a period of seven days beginning at midnight on Saturday night.

24. *Number of hours of work which shall constitute a Normal Working Day.*—(1) The number of hours which shall constitute a normal working day shall be—

(a) in the case of an adult	..	..	9 hours
(b) in the case of a child	..	..	4-1/2 hours.

(2) The working day of an adult worker shall be so arranged that inclusive of the intervals for rest, if any, it shall not spread over more than twelve hours on any day.

(3) The number of hours of work in the case of an adolescent shall be the same as that of an adult or a child according as he is certified to work as an adult or a child by a competent medical practitioner approved by the Himachal Pradesh Administration.

(4) The provisions of sub-rules (1) to (3) shall be subject to such modifications as may, from time to time, be notified by the Himachal Pradesh Administration.

(5) Nothing in this rule shall be deemed to affect the provisions of Factories Act, 1948.

25. *Extra wages for overtime.*—(1) Where an employee in a scheduled employment is governed by the provisions of the Factories Act or any other enactment, prescribing extra wages for overtime, he shall receive overtime wages at the rates so prescribed.

(2) In case not covered by sub-rule (1), when a worker works in an employment for more than the number of hours of work constituting a normal working day prescribed in rule 24, he shall in respect of overtime work be entitled to wages—

- (a) in the case of employment in agriculture, at one and a half times the ordinary rate of wages;
- (b) in the case of any other scheduled employment, at double the ordinary rate of wages.

Provided that the Himachal Pradesh Administration, on receipt of representation in respect of any scheduled employment or class or classes of employees in such employment, may, after inviting public comments, notify any other rate of payment of extra wages for overtime in respect of any scheduled employment or class or classes of employees in such employment.

*Explanation.*—The expression “ordinary rate of wages” means the basic wage plus such allowances including the cash equivalent of the advantage accruing through the concessional sale to the person employed of food grains and other articles as the person employed is for the time being entitled to but does not include a bonus.

(3) A register showing overtime payments shall be kept in Form IV.

(4) Nothing in this rule shall be deemed to affect the provisions of the Factories Act, 1948.

26. *Form of Registers and Records.*—(1) A Register of Wages shall be maintained by every employer and kept in such form as may be convenient to him and shall include the following particulars:—

- (a) the minimum rates of wages payable to each person employed;
- (b) the number of days for which each employed person worked overtime for each wage period;
- (c) the gross wages of each person employed for each wage period;
- (d) all deductions made from those wages, with an indication, in each case, of the kinds of deductions mentioned in sub-rule (2) of rule 21;
- (e) the wages actually paid to each person employed for each wage period and the date of payment.

(2) Wage slips containing the aforesaid particulars and such other particulars as may be notified by the Himachal Pradesh Administration shall be issued by every employer to every person employed by him at least a day prior to the disbursement of wages.

(3) Every employer shall get the signature or the thumb impression of every person employed on the wage book and wage slip.

(4) Entries in the wage books and wage slips shall be authenticated by the Employer or any person authorised by him in this behalf.

(5) A muster roll shall be maintained by every employer and kept in Form V:

Provided that the Himachal Pradesh Administration on sufficient cause being shown, may by notification in the official Gazette, exempt any scheduled employment or any units of such employment, conditionally or otherwise, from the observance of any of the requirements under this rule, or may vary these requirements, in respect of the employees or a class or classes of employees in such employment.

## CHAPTER V

### Claims under the Act

27. *Application.*—An application under sub-section (2) of section 20 or sub-section (1) of section 21, by or on behalf of an employed person or group

of employed persons, shall be made in duplicate in Forms VI and VII, as the case may be.

28. *Authorisation.*—The authorisation to act on behalf of an employed person or persons, under sub-section (2) of section 20 or of sub-section (1) of section 21, shall be given in Form VIII by an instrument which shall be presented to the Authority hearing the application and shall form part of the record.

29. *Appearance of parties.*—(1) If an application under sub-section (2) of section 20 or sub-section (1) of section 21 is entertained, the Authority shall serve upon the employer by registered post a notice in Form IX to appear before him on a specified date with all relevant documents and witnesses, if any, and shall inform the applicant of the date so specified.

(2) If the employer or his representative fails to appear on the specified date, the Authority may hear and determine the application *ex-parte*.

(3) If the applicant or his representative fails to appear on the specified date, the Authority may dismiss the application.

(4) An order passed under sub-rule (2) or sub-rule (3) may be set aside on sufficient cause being shown by the defaulting party within one month of the date of the said order, and the application shall then be reheard after service of notice on the opposite party of the date fixed for rehearing, in the manner specified in sub-rule (1).

## CHAPTER VI

### Scale of Costs in Proceedings under the Act

30. *Costs.*—(1) The Authority, for reasons to be recorded in writing, may direct that the costs of any proceeding pending before it shall not follow the event.

(2) The costs which may be awarded shall include—

- (i) expenses incurred on account of court-fees;
- (ii) expenses incurred on subsistence money to witnesses; and
- (iii) pleader's fees to the extent of ten rupees, provided that the Authority, in any proceeding, may reduce the fees to a sum not less than five rupees or for reasons to be recorded in writing increase it to a sum not exceeding twenty-five rupees.

(3) Where there are more than one application or opponent the Authority may, subject as aforesaid, award to the successful party or parties such costs as it may deem proper.

31. *Court Fees.*—The court-fee payable in respect of proceeding under section 20 shall be—

- (i) for every application to summon a witness—One rupee in respect of each witness;
- (ii) for every application made by or on behalf of an individual—One rupee:

Provided that the Authority may, if in its opinion the applicant is a pauper, exempt him wholly or partly from the payment of such fees:

Provided further that no fee shall be chargeable—

- (a) from persons employed in Agriculture; or
- (b) in respect of an application made by an Inspector:

Provided that Himachal Pradesh Administration may by notification reduce the scale of court-fees in respect of any class or classes of employees in any scheduled employment.

**FORM I**  
**Register of Fines**  
**[Rule 21 (4)]**

.....Employer.

Sl. No.	Name	Father's/ Husband's name	Sex	Depart- ment	Nature and date of the offence for fine impos- ed	Whether workman showed cause against fine or not. If so, enter date	Rate of wages imposed	Date and amount of fine imposed	Date on which fine realised	Remarks
1	2	3	4	5	6	7	8	9	10	11

**FORM II**

**[Rule 21 (4)]**

**Register of Deductions for Damage or Loss caused to the Employer, by the neglect or default of the employed persons**

..... Employer.

Sl. No.	Name	Father's/ Husband's name	Sex	Depart- ment	Damage or loss cause with date	Whether showed cause against deduct- ion. If so enter date and particu- lars of the person in whose pre- sence the cause was shown	date and amount of deduc- tion imposed	Numbers of instal- ments if any	Date on which total amount realised	Remarks
1	2	3	4	5	6	7	8	9	10	11

FORM III

[Rule 21 (4)]

Deduction from Wages

Return for the year ending the 31st December .....

1. Name of the employer and postal address.....  
 .....
2. Total number of persons employed } Adults.....  
 } Children .....
3. Total wages paid.....
4. Number of cases and amounts realised as:

No. of cases:

Amount

(a) Fine .....

(b) Deductions for damage or loss.....

(c) Deductions for breach of contract.....

5. Disbursements from Fine Fund.

Amount

Purpose

Rs.

Dated.....19

Signature.....

Designation.....

FORM IV

[Rule 25 (3)]

Overtime Register Roll for Workers for the Month ending ..... 19

Sl. No.	Name	Father's/Husband's Name	Sex	Designation and Department	Dates on which overtime worked	Extent of overtime on each occasion	Total over-time work or production in case of piece workers	Normal hours	Normal rate of pay	Over-time rate of pay	Normal earnings	Over-time earnings	Total earnings	Date on which over-time payments made
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

FORM V

[Rule 26 (5)]

Muster Roll

Name of establishment..... Place.....

Sl. No.	2 Name	3 Father's/Husband's Name	4 Sex	5 Nature of work	6 For the period ending.....	7 Remarks
					(1) (2) (3) (4) (5)	

## FORM VI

**Form of Application by an Employee under section 20 (2) in the Court of  
the Authority appointed under the Minimum Wages Act, 1948, for  
.....Area**

Application No. .... of 19 ..

(1) .....  
(2) .....  
(3) ..... } Applicant(s).

(through..... a Legal Practitioner.....  
..... official of..... Union  
which is a Registered Trade Union.

Address .....

*Versus*

(1) .....  
(2) .....  
(3) ..... } Opponent(s).

Address .....

The applicant(s) above named beg(s) respectfully to submit as follows:—

- (1) that .....  
(2) that .....

The applicant(s) has (have) been paid wages at less than the minimum rate of wages.

The applicant(s) estimate(s) the value of the relief sought by him (them) at the sum of Rs.....

The applicant(s) pray(s) that a direction may be issued under sub-section (3) section 20 for—

- (a) payment of the difference between the wages due according to the minimum rate of wages fixed by Himachal Pradesh Administration and the wages actually paid, and  
(b) compensation amounting to Rs.....

The applicant(s) beg(s) leave to amend or add to or make alterations in the application if any and when necessary.

Date..... *Signature or \*thumb impression of the  
employee(s), legal practitioner or  
official of the registered trade union  
duly authorised.*

The applicant(s) do(es) solemnly declare that what is stated above is true to the best of his (their) knowledge, belief and information.

This verification is signed at.....on the....day of.....19 ..

*Signature or \*thumb impression of  
the employee(s) or legal practitioner  
or official of a registered trade union  
duly authorised.*

\*When the application is by a group of employees, the thumb-impressions or signatures of two of the applicants need be put to the application and full list of applicants should be attached to the application.

FORM VII

**Form of Application by an Inspector or person acting with the Permission of the Authority under section 20 (2)**

In the Court of the Authority appointed under the Minimum Wages Act, 1948, for.....area.

Application No.....of 19 ..

(1).....Applicant.  
Address.....

*Versus*

(2).....Opponent.  
Address.....

The applicant above named begs respectfully to submit as follows:—

- (1) that .....
- (2) that .....

The opponent is bound to pay wages at the minimum rate of wages fixed by Himachal Pradesh Administration but he has paid less wages to the following employees:—

- (1) .....
- (2) .....
- (3) .....

The applicant estimates the value of the relief sought for the employees at the sum of Rs.....

The applicant prays that a direction may be issued under sub-section (3) of section 20 for—

- (a) payment of the difference between the wages due according to the minimum rate of wages fixed by Himachal Pradesh Administration and the wages actually paid, and
- (b) compensation amounting to Rs.....

The applicant begs leave to amend or add to or make alterations in the application if and when necessary.

Date.....*Signature.*

The applicant does solemnly declare that what is stated above is true to the best of his knowledge and information. This verification is signed at.....  
.....on..... day of..... 19 ..

FORM VIII

**Form of Authority in favour of a Legal Practitioner or any Official of a Registered Trade Union referred to in section 20 (2)**

In the Court of the Authority appointed under the Minimum Wages Act, 1948, for.....area.  
Application No.....of 19 ..

- (1) ..... } Applicant(s).
- (2) ..... }
- (3) ..... }

*Versus*

(1) ..... } Opponent(s).  
(2) ..... }  
(3) ..... }

I hereby authorise Mr. ...., a  
Legal Practitioner ..... official of the registered  
Trade Union of ..... to appear and act  
on my behalf in the above-described proceeding and to do all things incidental  
to such appearing and acting.

Date..... *Signature or thumb impression of  
the employee.*

FORM IX

**Form of Summons to the Opponent to Appear before the Authority when  
an Application under sub-section (2) of section 20 or under section 21  
is entertained**

(TITLE OF THE APPLICATION)

To

.....  
.....  
(Name, description and place of residence).

Whereas..... has made the above said  
application to me under the Minimum Wages Act, 1948, you are hereby sum-  
moned to appear before me in person or by a duly authorised agent and able to  
answer all material questions relating to the application, or who shall be  
accompanied by some person able to answer all such questions, on the.....  
.....day of..... 19....., at.....  
..... O'clock in the .....  
..... noon, to answer the claim; and as the day fixed  
for the appearance is appointed for the final disposal of the application, you  
must be prepared to produce on that day all the witnesses upon whose  
evidence and all the documents upon which you intend to rely in support of your  
defence.

Take notice that, in default of your appearance on the day before mentioned,  
the application will be heard and determined in your absence.

Date.....

*Signature of the Authority.*

By order,  
C. L. KAPILA.  
*Secretary.*